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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,814	09/30/2004	Michio Kaneko	A36275PCT USA 074224.0138	8291
21003	7590	09/20/2007	EXAMINER	
BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA 44TH FLOOR NEW YORK, NY 10112-4498			ASDJODI, MOHAMMAD REZA	
			ART UNIT	PAPER NUMBER
			1709	
			NOTIFICATION DATE	DELIVERY MODE
			09/20/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DLNYDOCKET@BAKERBOTTS.COM

Office Action Summary

Application No.

10/509,814

Applicant(s)

KANEKO ET AL.

Examiner

Asdjodi M. Reza

Art Unit

1709

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/19/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 5-24 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and can not depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-24 have not been further treated on the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

***A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.***

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Komabashiri et al. in (4.863,524).

Komabashiri et al. discloses a cleaning agent which comprises an inorganic acid salt, [C.1, L.22 & C.2, L.25-30], an organic acid, [C.2, L.35-40], a surfactant, [C.1, L.26, L.52], hydrophilic oxygen containing solvents, [C.2, L.59-69], and water, [C.4, L.15-20].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komabashiri et al. as applied to claim 1 above, and further in view of Beggs et al. (US 6,472,360 B1).

Komabashiri teaches every limitation except a thickener and a viscosity of the cleaning agent. However Beggs et al. teaches a hardsurface cleaning and disinfectant composition comprising a thickener, and the composition has a viscosity of greater than 50 mPa.s., [C.12, L.1, L7].

Komabashiri and Beggs are from the same field of endeavor in relation to surface cleaning compositions. At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the thickener of Beggs with the invention of Komabashiri in order to provide a cleaning composition having a viscosity of greater than 50 mPa.s. which includes the claimed range.

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Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komabashiri et al. as applied to claim 1 above, and further in view of Raehse et al. (US 2004/0053808 A1).

Komabashiri teaches every limitation except a discoloration inhibitor. However Raehse et al. teaches a washing and cleaning agent that comprises a discoloration inhibitor, [p; 0305 & 0405]. Komabashiri and Raehse are combinable because they are from the same field of endeavor in relation to surface cleaning compositions. At the time of invention, it would have been obvious to a person of ordinary skill in the art to add the discoloration inhibitor of Raehse to the cleaning agent of Komabashiri. Motivation would have been to make, and restore, the surface to its original color condition.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komabashiri et al. in view of Raehse et al. as applied to claims 1 and 3 above, and further in view of Cornelius et al. (US 6,645,471 B2).

Komabashiri teaches every limitation except inorganic fluorine compound salts. However Cornelius teaches a composite abrasive material for oral composition which contains 0.005 to 5.0% inorganic fluorine compound salts, [C.8, L.40-60]. Komabashiri and Cornelius are combinable because they are from the same field of endeavor in relation to surface cleaning compositions. At the time of invention, it would have been obvious to a person of ordinary skill in the art to add some amounts of fluorine salts of Cornelius to the cleaning

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composition of Komabashiri. The motivation would have been to remove discoloration from the surface.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asdjodi M. Reza whose telephone number is 571-270-3295. The examiner can normally be reached on Monday-Friday 8:00-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Mark Eashoo can be reached on 571-272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M. Reza Asdjodi,
09-11-07

A handwritten signature in black ink, appearing to read "Mark Eashoo". The signature is fluid and cursive, with a large, sweeping initial "M" and a long, horizontal flourish at the end.

MARK EASHOO, PH.D.
SUPERVISORY PATENT EXAMINER

14 / Sep / 07